

ORIGINAL  
2 to 4

(87)  
6-14-02  
SC

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

DARRELL G. OBER

Plaintiff

Vs.

PAUL EVANKO, MARK  
CAMPBELL, THOMAS COURY  
JOSEPH WESTCOTT,  
HAWTHORNE CONLEY,

CIVIL ACTION LAW

1:CV-01-0084

JUDGE CALDWELL

JURY TRIAL DEMANDED

FILED  
HARRISBURG, PA

JUN 13 2002

MARY E. D'ANDREA, CL  
Per Deputy Clerk

CORRECTIONS TO BRIEF AND PLAINTIFF'S CONCISE  
STATEMENT OF UNDISPUTED MATERIAL FACTS

1.) On page 8 of "Plaintiff's Brief in Support of His Motion for Summary Judgment, plaintiff's counsel failed to cite and append the source of the case cited (Bristow v. Clevenger No. 01-1162, (3<sup>rd</sup> Cir December 11, 2001 unreported) in accordance with the requirements of L.R. 7.8.

2.) Attached hereto as Appendix "A" is a copy of the Bristow Opinion. Bristow is a case where, in pertinent part, the court defines some of the criteria which defines actionable impediments to gaining access to the courts.

3.) When plaintiff filed his Concise Statement of Facts an incomplete copy was inadvertently filed which left blank some references to deposition citations.

The corrections are as follows:

Paragraph,

2.) Should read in part "Soohey Deposition pg. 36, Kush Deposition pg. 131.

4.) Should read in part "Ober Dep (1<sup>st</sup> Day Dec 5, 2001 pg. 146"

18.) Should read in part Evanko Dep pg. 44, Hickes Dep pg. 107"

32.) The typographical error "material" should read "menial". The citation should read "Kush Dep pgs. 53, 107-108, 136-137,

34.) Should read in part "Evanko Dep pgs. 259-260.

134.) Should read in part "Ober Aff. paragraph 18 and 20

136.) Should in part "Ober Aff. paragraphs 34-37.

144.) Should read in part "Ober Aff paragraph 28.

152.) Should read in part "DeWire Deposition pg 45.

153.) Should read in part "DeWire Dep. pg. 70 lns 3-17.

154.) Should read in part "DeWire Dep. pg. 70 lns 3-16.

155.) Should read in part "pg 70 lns 3-16, pg. 57 lns 4-20.